

Public Chapter 349

HOUSE BILL NO. 1756

By Representative Patton

Substituted for: Senate Bill No. 1898

By Senators Crowe, Gilbert

AN ACT to amend Tennessee Code Annotated, Section 63-6-204, to permit the employment of physicians by certain non-profit public benefit corporations whose purpose is to engage in medical education and research in conjunction with a college or university operating in an accredited medical school in Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-204(d)(4), is amended by deleting the subdivision and substituting instead thereof the following:

In any event, nothing herein shall prohibit any of the following from employing physicians:

(A) a licensed physician; or

(B) a group of licensed physicians, including, without limitation, either of the following:

(i) a physicians' professional corporation registered under Title 48, Chapter 101; or

(ii) a domestic nonprofit public benefit corporation:

(a) that is recognized as exempt under § 501(c)(3) of the Internal Revenue Code [26 U.S.C. § 501(c)(3), or any successor section],

(b) a purpose of which is to engage in medical education and medical research in conjunction with a college or university operating an accredited medical school in Tennessee,

(c) whose physician-employees are restricted to the medical faculty of such a college or university, and

(d) which operates as a "faculty practice plan" for purposes of Title XVIII of the federal Social Security Act (42 U.S.C., Chapter 7, subchapter XVIII) and regulations promulgated in connection therewith.

Provided, however, with respect to any such domestic nonprofit public benefit corporation, physician employees of any such faculty practice plan who practice in the specialties of radiology, pathology, anesthesiology and/or emergency medicine shall be restricted to practice as faculty practice plan employees in those health care institutions, including but not limited to hospitals or surgery centers, in which they were practicing as employees of the nonprofit public benefit corporation on the effective date of this act.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.